

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>THOMAS SOKOL,</b>	:	<b>CIVIL ACTION NO. 1:15-CV-1188</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>MAYOR TIM SCOTT,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER & JUDGMENT**

AND NOW, this 9th day of May, 2016, upon consideration of the report (Doc. 12) of Chief Magistrate Judge Martin C. Carlson, recommending the court grant the motion (Doc. 8) for summary judgment filed by defendant Mayor Tim Scott (“Scott”) pursuant to Federal Rule of Civil Procedure 56(a), see FED. R. CIV. P. 56(a), wherein Judge Carlson opines that judgment should be entered in favor of Scott and against plaintiff Thomas Sokol (“Sokol”) for failure to prosecute this action, see FED. R. CIV. P. 41(b), and failure to oppose Scott’s motion for summary judgment, see LOCAL RULE OF COURT 7.6; (see also Doc. 11), and further opines that Sokol’s petition (Doc. 1) for writ of mandamus is without merit, (see Doc. 12 at 10-13), and it appearing that Sokol did not object to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure of a party to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district

court should “afford some level of review to dispositive legal issues raised by the report,” Henderson, 812 F.2d at 878; see also Taylor v. Comm’r of Soc. Sec., 83 F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac Dental Co. v. Dentsply Int’l, Inc., 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010)), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b), advisory committee notes, and, following an independent review of the record, the court in agreement with Judge Carlson’s recommendation, and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 12) of Chief Magistrate Judge Carlson is ADOPTED.
2. The motion (Doc. 8) for summary judgment of defendant Mayor Tim Scott (“Scott”) is GRANTED.
3. Judgment is ENTERED in favor of Scott and against plaintiff Thomas Sokol.
4. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania